

THIRD-PARTY SUBMISSION IN PUBLISHED APPLICATION
per 37 C.F.R. § 1.99



Applicants: Meyer et al.
 Application No.: 10/612,307
 App. Publication No.: US 2005-0003884 A1
 Publication Date: January 6, 2005
 Filed: July 2, 2003
 For: **LOTTERY GAME METHOD**
 Group Art Unit: 3714
 Examiner: Robert Eric Pezzuto

Dear Sir or Madam:

The publication is submitted per 37 C.F.R. § 1.99. It is relevant to U.S. Patent Application Publication No. 2005-0003884 for pending U.S. Patent Application No. 10/612,307. This submission complies with the requirements of 37 C.F.R. § 1.99 and the application is still pending.

Postcard

Enclosed is a self-addressed postcard per § 1.99(f). Please acknowledge receipt of this submission.

Copy served by first class mail

Per 37 C.F.R. § 1.99(c) and § 1.248(a)(4), a copy of this submission was sent on July 23, 2007 via first class mail to the applicant's attorney or agent at:

Steven R. LeBlanc
 Carlton Fields PA
 1201 WEST PEACHTREE STREET
 3000 ONE ATLANTIC CENTER
 ATLANTA GA 30309

Publication could not have been submitted to the Office earlier

§ 1.99(e) requires a submission be filed within two months from the date of publication of this application (January 6, 2005), unless the submission could not have been submitted to the Office earlier and it is accompanied by the processing fee set forth in § 1.17(i). The patent and publication provided in this submission were not published until after January 6, 2005 and could not have been submitted to the Office earlier.

Fee

Enclosed is Applicants' authorization to charge \$310.00 which includes the processing fee under § 1.17(p) (\$180.00) and the fee under § 1.17(i) (\$130.00) as required for a belated submission.

List of the publications submitted for consideration by the Office

1. US Patent No. 7,052,394 B2, issued on May 30, 2006 to Walker et al., and
2. A published document entitled "Applicant Arguments/Remarks Made in an Amendment," 7 pages, published via the Public PAIR Portal for U.S. Patent Application 10/612,307 (Image File Wrapper tab, mail room date 07-19-2007).

01 FC:1464 130.00 DA
 02 FC:1806 180.00 DA

Application 10/612,307 (Image File Wrapper) 00000043 500271 10612307

PATENT

Per § 1.99(d), this submission only provides a copy of a pertinent portion of the document #2 (only pages numbered 11-16) as it was published via the Public PAIR Portal and does not include any explanation of the document or any other information.

Respectfully submitted,

July 23, 2007
Date

/Michael Downs 50252/
Michael D. Downs
Attorney for Applicants
PTO Registration No. 50,252
203.461.7292/phone
203.461.7300/fax
Mdowns@walkerdigital.com



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

PTO/SB/17 (07-07)
Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 310.00

Complete if Known

Application Number

Filing Date

First Named Inventor

Examiner Name

Art Unit

Attorney Docket No.

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 500271 Deposit Account Name: Walker Digital, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee (\$)

Fee Paid (\$)

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Third Party Submission (processing fees under 1.17(p) and 1.17(i))

310.00

SUBMITTED BY

Signature	/Michael Downs 50252/	Registration No. (Attorney/Agent) 50,252	Telephone 203.461.7292
Name (Print/Type)	Michael D. Downs		Date July 23, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.